

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

In Re: BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

MDL No. 2:15-MD-02641-PHX-DGC

This Document Relates to:

BERNARD G. KUSTRA, an individual,
Plaintiff

Civil Action No. 2:17-cv-03598-DGC

v.

C.R. BARD, INC., and
BARD PERIPHERAL VASCULAR, INC.
Defendants

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Bernard G. Kustra, by and through the undersigned counsel hereby gives notice that the above-captioned action is voluntarily dismissed without prejudice against the Defendants, with each party to bear its own costs. It is further agreed that the non-suit will only apply to docket number 2:17-cv-03598-DGC. This dismissal does not affect case number 2:17-cv-03529-DGC, which shall remain in suit.

Dated this 10th of November, 2017.

Respectfully submitted,

MATTHEWS & ASSOCIATES

By: /s/ David P. Matthews

David P. Matthews
2905 Sackett St.
Houston, TX 77098

FREESE & GOSS, PLLC

Richard Freese
Calle M. Mendenhall
FREESE & GOSS, PLLC

1901 6th Ave N. Ste. 3120
Birmingham, AL 35203

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System which will automatically send email notification of such filing to all attorneys of record. A copy of the foregoing was also served via Email to the following:

Richard B. North, Jr.
richard.north@nelsonmullins.com
Matthew B. Lerner
matthew.lerner@nelsonmullins.com
Nelson Mullins Riley &
Scarborough, LLP
201 17th Street, NW
Suite 1700
Atlanta, GA 30363

/s/ David P. Matthews
David P. Matthews